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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/691,928	10/23/2003	Jay A. Goldstein	JAG 100	1611	
23579 7	7590 07/27/2006		EXAMINER		
PATREA L. PABST			STITZEL, DAVID PAUL		
PABST PATENT GROUP LLP			·		
400 COLONY SQUARE			ART UNIT	PAPER NUMBER	
SUITE 1200			1616	1616	
ATLANTA, C	. 30361		DATE MAILED: 07/27/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/691,928	GOLDSTEIN ET AL.		
Examiner	Art Unit		
David P. Stitzel, Esq.	1616		

	David P. Stitzel, Esq.	1616			
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress		
THE REPLY FILED <u>01 June 2006</u> FAILS TO PLACE THIS APP	PLIÇATION IN CONDITION FOR AL	LOWANCE.			
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	wing replies: (1) an amendment, aff tice of Appeal (with appeal fee) in o ce with 37 CFR 1.114. The reply mu	idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)		
a) The period for reply expires <u>6</u> months from the mailing date b) The period for reply expires on: (1) the mailing date of this A		in the final rejection, wh	ichever is later In		
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN					
TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	06.07(f).				
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply origi r than three months after the mailing da	of the fee. The approprinally set in the final Offi	iate extension fee ce action; or (2) as		
 The Notice of Appeal was filed on <u>23 June 2006</u>. A brief date of filing the Notice of Appeal (37 CFR 41.37(a)), or a appeal. Since a Notice of Appeal has been filed, any reply AMENDMENTS 	ny extension thereof (37 CFR 41.3	7(e)), to avoid dismis:	sal of the		
3. The proposed amendment(s) filed after a final rejection,			ecause		
(a) They raise new issues that would require further co		TE below);			
 (b) ☐ They raise the issue of new matter (see NOTE belo (c) ☐ They are not deemed to place the application in bet 		ducing or simplifying	the issues for		
appeal; and/or	oorroonanding number of finally so	a ata di alaissa			
(d) They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a)).	corresponding number of finally rej	ected claims.			
4. The amendments are not in compliance with 37 CFR 1.11	21 See attached Notice of Non-Co	mnliant Amendment	(PTOL-324)		
5. $oxed{\boxtimes}$ Applicant's reply has overcome the following rejection(s)	: The 112 1 st new matter rejection of	of claim 1 is withdraw	<u>n</u> .		
 Newly proposed or amended claim(s) would be al non-allowable claim(s). 	•	·	•		
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is protected. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to:		I be entered and an e	explanation of		
Claim(s) rejected: <u>1-17.</u> Claim(s) withdrawn from consideration:					
AFFIDAVIT OR OTHER EVIDENCE					
 The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 					
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessary	overcome all rejections under appea	al and/or appellant fai	ils to provide a		
10. ☐ The affidavit or other evidence is entered. An explanatio REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after e	ntry is below or attach	ned.		
 The request for reconsideration has been considered bu <u>See Continuation Sheet.</u> 	t does NOT place the application in	n condition for allowar	nce because:		
12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-1449) Paper N	lo(s)			
13. Other:	H	25 mans	JPan		
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SREENI PADMANABHAN SUPERVISORY PATENT EXAMINER Applicants' arguments and request for reconsideration have been fully considered but are deemed unpersuasive. The claim rejections under 35 U.S.C. §§ 102 and 103, as set forth in the Official Action dated March 23, 2006, are maintained for the reasons of record.